

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
v.)	CAUSE NO.: 2:13-CR-75-JTM-PRC
)	
JAMES DOUGLAS URSCHER,)	
Defendant.)	

**FINDINGS AND RECOMMENDATION OF THE MAGISTRATE JUDGE
UPON A PLEA OF GUILTY BY DEFENDANT JAMES DOUGLAS URSCHER**

TO: THE HONORABLE JAMES T. MOODY,
UNITED STATES DISTRICT COURT

Upon Defendant James Douglas Urschel's request to enter a plea of guilty pursuant to Rule 11 of the Federal Rules of Criminal Procedure, this matter came for hearing before Magistrate Judge Paul R. Cherry, on June 6, 2013, with the consent of Defendant James Douglas Urschel, counsel for Defendant James Douglas Urschel, and counsel for the United States of America.

The hearing on Defendant James Douglas Urschel's plea of guilty was in full compliance with Rule 11, Federal Rules of Criminal Procedure, before the Magistrate Judge in open court and on the record.

In consideration of that hearing and the statements made by Defendant James Douglas Urschel under oath on the record and in the presence of counsel, the remarks of the Assistant United States Attorney and of counsel for Defendant James Douglas Urschel,

I FIND as follows:

(1) that Defendant James Douglas Urschel understands the nature of the charge against him to which the plea is offered;

(2) that Defendant James Douglas Urschel understands his right to trial by jury, to persist in his plea of not guilty, to the assistance of counsel at trial, to confront and cross-examine adverse witnesses,

and his right against compelled self-incrimination;

(3) that Defendant James Douglas Urschel understands what the maximum possible sentence is, including the effect of the supervised release term, and Defendant James Douglas Urschel understands that the sentencing guidelines apply and that the Court may depart from those guidelines under some circumstances;

(4) that the plea of guilty by Defendant James Douglas Urschel has been knowingly and voluntarily made and is not the result of force or threats or of promises;

(5) that Defendant James Douglas Urschel is competent to plead guilty;

(6) that Defendant James Douglas Urschel understands that his answers may later be used against him in a prosecution for perjury or false statement;

(7) that there is a factual basis for Defendant James Douglas Urschel' plea; and further,

I RECOMMEND that the Court accept James Douglas Urschel' plea of guilty to the offense charged in Count 1 of the Information and that Defendant James Douglas Urschel be adjudged guilty of the offense charged in Count 1 of the Information and have sentence imposed. A Presentence Report has been ordered. Should this Report and Recommendation be accepted and James Douglas Urschel be adjudged guilty, a sentencing date before Senior Judge James T. Moody will be set by separate order. Objections to the Findings and Recommendation are waived unless filed and served within fourteen (14) days. 28 U.S.C. § 636(b)(1).

So ORDERED this 6th day of June, 2013.

s/ Paul R. Cherry
MAGISTRATE JUDGE PAUL R. CHERRY
UNITED STATES DISTRICT COURT

cc: All counsel of record
Honorable James T. Moody